

**LAHIVE**  
**&**  
**COCKFIELD**  
 L L P

**COUNSELLORS AT LAW**  
**28 STATE STREET**  
**BOSTON, MASSACHUSETTS 02109-1784**  
**TELEPHONE (617) 227-7400**  
**FAX (617) 742-4214**  
**ic@lahcoc.com**

JOHN A. LAHIVE, JR. (1928-1997)	SEAN D. COOKLER
THOMAS V. SMURZYNSKI	CYNTHIA L. KANIK, Ph.D.
RALPH A. LOREN	MEGAN E. WILLIAMS, Ph.D.
GIULIO A. DECONTI, JR.	RICHARD NARDI
ANN LAMPORT HAMMETTE	MICHAEL PHILLIPS*
ELIZABETH A. HANLEY	LISA M. D'ARCOO
AMY BAKER MANDRAGOURAS	SENIOR COUNSEL
ANTHONY A. LAURENTANO	JAMES E. COCKFIELD
KEVIN J. CANNING	OF COUNSEL
JANE F. REMILLARD	JEREMIAH LYNCH
DOANN FORAN SMITH	WILLIAM A. SCOFIELD, JR.
PETER C. LAURO	PATENT AGENTS
JEANNE M. DIGIORGIO	PETER S. STECHER
DEBRA J. MILASINIC, Ph.D.	THEODORE R. WEST
NICHOLAS P. TRIANO, III	
DAVID J. RIKKERS	
DAVID R. BURNS	
JOHN S. CURRAN	

**TECHNICAL SPECIALISTS**  
 MARIA LACOTRIPE ZACHARANS, Ph.D.  
 CYNTHIA M. SOROS  
 PETER W. DINI, Ph.D.  
 EUNMOON LEE  
 JENNIFER K. ROSENFIELD  
 JUDITH STONE-MULSLANDER, Ph.D.  
 ALLAN TAMESHTIT, Ph.D.  
 CATHERINE E. MCPHERSON  
 ERIC F. WAGNER, Ph.D.  
 SHAMID HASAN, Ph.D.  
 ABHITA DOSHI, Ph.D.  
 JACOB G. WEINTRAUB

\* Admitted in NY only  
 — Passed the Patent Bar Examination

June 18, 2001

Commissioner for Patents  
 Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/604,231  
 Filed: June 27, 2000  
 Entitled: *Corynebacterium glutamicum Genes Encoding*  
*Phosphoenolpyruvate: Sugar Phosphotransferase System Proteins*  
 Inventors: Markus Pompejus *et al.*  
 Our Reference: BGI-122CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Preliminary Amendment

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Washington, DC 20231 on:

June 18, 2001

Date

Elizabeth A. Hanley, Esq., Reg. No. 33,505

Respectfully submitted,

Elizabeth A. Hanley, Esq.,

Reg. No. 33,505

Attorney for Applicants

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, MA 02109

(617) 227-7400

*#6/2*  
Dmt  
6-19-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus, et al.

Serial No.: 09/604,231

Filed: June 27, 2000

For: "Corynebacterium Glutamicum Genes Encoding  
Phosphoenolpyruvate: Sugar Phosphotransferase  
System Proteins"

Attorney Docket No.: BGI-122CP

Group Art Unit: 1645

Examiner: M. Monshipouri

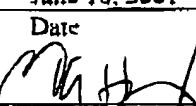
Commissioner for Patents  
Washington, D.C. 20231

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

June 18, 2001

Date

  
Elizabeth A. Hanley, Reg. No. 33,505

PRELIMINARY AMENDMENT

Dear Sir:

Prior to examination of the above-identified application, please amend the application as follows:

In the Claims:

Please cancel claims 3-8, 20-24, and 34-38.

Please amend claim 1 as follows: